City of Lafayette
Public Meeting Agenda
City Council Special Meeting

Monday, September 8, 2008 **6:30 pm**
Lafayette Community Center, Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. CLOSED SESSION
   A. **Conference with Legal Counsel – Significant Exposure to Litigation**
      Initiation of Litigation pursuant to Government Code section 54956.9(b) (1 Case)

   B. **Public Employee Performance Evaluation (Gov. Code section 54957)**
      Title: City Manager

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Monday, September 8, 2008 7:00 pm
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. PUBLIC COMMENTS
6. REPORT FROM CLOSED SESSION
7. PRESENTATIONS
   A. **Jeanne Ateljevich, DSIMPIC Chairperson**
   Downtown Street Improvement Master Plan Implementation Committee (DSIMPIC)-Annual Update and Possible Appointment of new member to the DSIMPIC
   Recommendation: Discuss and direct staff.

   B. **Linda Peterson, Banner Advisory Committee Chairperson**
   Annual Update
   Recommendation: Receive and file.

8. OLD BUSINESS
   A. **Agreement for Use of Lafayette Plaza by CoreQuest Corporation and Contra Costa Adventure Boot Camp**
   Recommendation: Discuss and direct staff.

9. STAFF REPORTS
   A. **Sarah Allen, Planning Intern**
   Request for direction to initiate zoning text amendment to Section 6-984 of the Lafayette Municipal Code to allow medical use within the C-1 zoning district with approval of a land use permit
   Recommendation: Direct staff to proceed with zoning text amendment to Section 6-984 of the Lafayette Municipal Code.

   B. **Niroop Srivatsa, Planning & Building Services Manager**
   Palos Colorados Precise Development Plan: Evaluation of the photosimulations of the proposed homes to determine if they are visible from the Lafayette BART station
   Recommendation: Direct staff to forward Lafayette's comments to the Moraga Planning Commission.

10. PUBLIC HEARINGS
   A. **Ann Merideth, Community Development Director**
   Introduce Ordinance 578 repealing Chapter 6-26, Public Art, and adding Chapter 2-12, Public Art Commission, and Chapter 11-7, Public Art
   Recommendation: Introduce Ordinance 578 and continue to September 22, 2008 for second reading and adoption.

11. CONSENT CALENDAR

A. **City Council Minutes**
August 11, 2008
Recommendation: Approve.

B. **Ordinance 577 Amending Section 8-8122 of Chapter 8-8 of the Lafayette Municipal Code to permit active and expeditious loading, unloading and delivery or pick up of property in any place marked as a loading zone.**
Recommendation: Waive second reading and adopt Ordinance 577.

C. **Resignation from Elaine Welch and JoAnne Archer, Senior Needs Assessment Task Force.**
Recommendation: Accept with regret.

D. **Resignation from Barbara Schuh, Senior Services Commissioner.**
Recommendation: Accept with regret.

E. **Resignation from Elizabeth Welch, Senior Services Commissioner.**
Recommendation: Accept with regret.

F. **Agreement relating to the installation and maintenance of existing and new landscaping between Pacific National Bank and the City of Lafayette, for property located at 3528 Mt. Diablo Blvd. APN 243-020-032**
Recommendation: Accept agreement and authorize the City Clerk to record.

G. **Agreement relating to the maintenance of existing landscaping between Bank of America and the City of Lafayette, for property located at 3530 Mt. Diablo Blvd. APN 243-020-034**
Recommendation: Accept agreement and authorize the City Clerk to record.

H. **Agreement relating to the maintenance of existing landscaping between Eric Mitchell Fonstein and Sally Ann Fonstein and the City of Lafayette, for property located at 3160 Stanley Blvd. APN 175-052-006**
Recommendation: Accept agreement and authorize the City Clerk to record.

I. **Agreement relating to the maintenance of existing and new landscaping between Rancho Colorados Club and the City of Lafayette, for property located at 3016 Rohrer Drive. APN 237-260-007**
Recommendation: Accept agreement and authorize the City Clerk to record.

J. **Agreement for sidewalk, fencing, landscaping and irrigation encroachment into City's right-of-way along frontage at 3454 Hamlin Road between the Roman Catholic Bishop Oakland and the City of Lafayette. APN 239-070-030**
Recommendation: Accept agreement and authorize the City Clerk to record.

K. **Reformatted Environmental Strategy Task Force**
Recommendation: Approve the name change to Environmental Task Force and confirm the membership of the Task Force.

L. **Resolution 2008-041 Establishing the Rate of Tax Levy to Provide Payment of Interest and Principal on Series 2002 General Obligation Bonds and Series 2004 General Obligation Bonds for Fiscal Year 2008-2009**

Recommendation: Adopt Resolution 2008-041.

M. **Camino Diablo Guard Rail Project – Project Number 014-9669, Final Acceptance**
Recommendation: Accept project as complete and authorize City Clerk to file a Notice of Completion for Project Number 014-9669.

Convene Redevelopment Agency

N. **Agreement with Brian Goggin for the Outdoor Plaza Corridor Art Project at the Lafayette Library and Learning Center**
Recommendation: Authorize the Executive Director to execute the agreement with Brian Goggin.

O. **Third Amendment to The Woodbury Owner Participation Agreement (OPA)**
Recommendation: Approve the third amendment to The Woodbury Owner Participation Agreement.

Adjourn Redevelopment Agency

12. COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. **Mayor Mike Anderson**
Potential topics for the Commissioner/Committee Breakfast on October 25, 2008
Recommendation: Discuss and direct staff.

C. **Mayor Mike Anderson and Councilmember Brandt Andersson**
Appointment to the Capital Projects Assessment Committee
Recommendation: Appoint new members to the Capital Projects Assessment Committee.

D. **Lafayette Art & Wine Festival Booth Schedule**
Recommendation: Council sign-up for the city's booth at the Art & Wine Festival.

Bring Calendar

13. WRITTEN COMMUNICATIONS

A. **E-mail from Beth Quirarte, Director of Fund Development, Eden Housing requesting a proclamation recognizing their 40th Anniversary.**
Recommendation: Discuss and direct staff.

B. **Letter from Frederick L. Granados, National Committeeman for the National Association of Insurance and Financial Advisers requesting a proclamation proclaiming September as Life Insurance Awareness Month.**
Recommendation: Discuss and direct staff.

C. **E-mail from Gennifer Mountain, Falls Prevention Program Manager, Meals on Wheels-Senior Outreach Services requesting a proclamation proclaiming September 21-27 as "Falls Prevention Awareness Week".**
Recommendation: Discuss and direct staff.

D. **Letter from Barbara Beratta, Daughters of the American Revolution requesting a proclamation proclaiming September 17-23 as National Constitution Week.**

Recommendation: Discuss and direct staff.

E. **E-mail from Kathy Landess on behalf of The Silver Star Families of America requesting a proclamation recognizing May 1st as "Silver Star Banner Day".**
Recommendation: Discuss and direct staff.

F. **Letter from Patti Link Cawood, Fundraising Manager, STAND requesting a proclamation proclaiming October as Domestic Violence Awareness Month.**
Recommendation: Discuss and direct staff.

G. **Letter from Jim Negri, Superintendent, Acalanes Union High School District requesting time on a future council agenda to make a presentation regarding the $93 million bond measure on the November 2008 ballot.**
Recommendation: Discuss and direct staff.

14. ADJOURNMENT to the next regularly scheduled meeting.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.